

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
WESTERN DIVISION

THE INDEPENDENT ORDER OF FORESTERS )

Plaintiff )

v. )

CASE NO. 07C50242

THE ESTATE OF SUSAN COLDREN AND )  
DUSTIN COLDREN, )

Deceased. )

**FILED**  
MAY 14 2008  
MAGISTRATE JUDGE P. MICHAEL MAHONEY  
United States District Court

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**CONSENT DECREE FOR DISMISSAL WITH PREJUDICE**


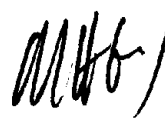
THE INDEPENDENT ORDER OF FORESTERS, Plaintiff, commence this litigation for Interpleader against the Defendants, THE ESTATE OF SUSAN COLDREN and DUSTIN COLDREN. Each of the Defendants have appeared and filed answers to the Complaint for Interpleader claiming the right to the death benefit proceeds in the amount of \$20,000.00 under International Order of Foresters Life Insurance Certificate No. 412885, insuring the life of Marlon D. Coldren.

International Order of Foresters has paid in to the clerk of the court pursuant to leave to deposit funds a \$20,811.76 death benefit. The clerk of the court has been directed to receive said sum, issue a receipt and hold said sum pending further order of the court in an interest bearing account. The Plaintiff's motion for entry of a final decree of interpleader was granted.

The Defendants, Laurie A. Mueller as Executor of the Estate of Susan Coldren, deceased and Dustin Coldren have entered into a settlement whereby the net death benefit proceeds after deduction of IOF attorneys fees of \$2,000.00 held by the Clerk of the Court shall be paid \$11,605.88 to Dustin Coldren plus 60% of any interest earned on the life insurance death benefit while held by the Clerk and \$7,205.88 to Laurie A. Mueller as Executor of the Estate of Susan J. Coldren, deceased plus 40% of any interest earned on the death benefit while held by the Clerk. Upon payment by the Clerk of the Court the case shall be dismissed with prejudice.


It is therefore ordered that the Clerk of the Court immediately pay to Dustin Coldren the sum of \$11,605.88 plus 60% of any interest earned on the interpleader account while held by the Clerk and to Laurie A. Mueller as Executor of the Estate of Susan J. Coldren, deceased the sum of \$7,205.88 plus 40% of any interest earned on the interpleader account while held by the Clerk. Upon payment by the Clerk this cause and the same is dismissed with prejudice as to all matters and as to all parties on the merits of same. Pursuant to Rule 54(b) of the Federal Rules of Civil Procedures this decree is a final judgment and this Court expressly finds and determines that there is no just reason to delay enforcement or appeal of this order.

Dated: 5/14/08 Entered:

  
JUDGE  


Agreed:

Dustin Coldren

By:   
Kaycee Chadwick, his attorney

Laurie A. Mueller as Executor of the Estate of  
of Susan Coldren, Deceased

By:   
Theodore Liebovich, her attorney

Prepared By:  
Theodore Liebovich. (#67)  
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